

Alaska Board of Fisheries Committee Report

COMMITTEE D

Upper Cook Inlet Personal Use Salmon Fishery

February 23, 2011

Board Committee Members:

1. John Jensen, *Chair
2. Bill Brown
3. Karl Johnstone

Alaska Department of Fish and Game Staff Members:

1. Tom Vania, Regional Fishery Manager, Division of Sport Fish
2. Robert Begich, Area Management Biologist, Division of Sport Fish
3. Jason Pawluk, Assistant Area Management Biologist, Division of Sport Fish
4. Sam Ivey, Acting Area Management Biologist, Division of Sport Fish
5. Al Cain, Department Enforcement Specialist
6. Dan Bosch, Area Management Biologist, Division of Sport Fish
7. Matt Miller, Regional Management Biologist, Division of Sport Fish
8. Kristine Dunker, Fishery Biologist, Division of Sport Fish
9. Tracy Lingnau, Regional Management Biologist, Division of Commercial Fisheries
10. Bob Chadwick, Regional Management Biologist, Division of Sport Fish
11. Jack Erickson, Regional Research Coordinator, Division of Sport Fish
12. Sam Hochhalter, Assistant Area Management Biologist, Division of Sport Fish
13. Jenny Cope, Fishery Biologist, Division of Sport Fish
14. Dan Teske, Assistant Area Management Biologist, Division of Sport Fish
15. Rob Massengill, Fishery Biologist, Division of Sport Fish
16. Kerri Tonkin, Regulations Program Coordinator, Division of Commercial Fisheries
17. Tom Brookover, Deputy Director, Division of Sport Fish

Advisory Committee Members: (only those representing Advisory Committees in committee)

1. Jim Stubbs, Anchorage AC
2. Jon Renner, Copper River-Prince William Sound AC
3. Steve Vanek, Central Peninsula AC
4. Mike Crawford, Kenai-Soldotna AC
5. George Heim, Cooper Landing AC

Public Panel Members:

1. Ken Coleman, Self

2. Cheryl Sutton, United Fisherman's Association (UFA), Statewide Chair
3. Debbie Brown, Cohoe-Kasilof Community Council
4. Jim Clover, Mat Su Assembly
5. Howard Delo, Mayor's Blue Ribbon Sportsmen's Committee, Mat Su (MBRSC)
6. Harry Brod, Upper Cook Inlet PU and Copper River PU
7. Ricky Gease, Kenai River Sport Fishing Association (KRSFA)
8. Scott Eggemeyer, Kenai River Professional Guide Association (KRPGA)
9. Don Johnson, Sport Guide
10. Steve Tvenstrup, Upper Cook Inlet Drift Association (UCIDA)
11. Ted Crookston, Kenai Peninsula Fisherman's Association (KPFA)
12. John Christian, PU Fisher/Seniors
13. Joe Connors, Kenai Tourism Marketing Council
14. Jeffrey Widman, Cook Inlet Drift Fisherman
15. Ken Federico, South Central Dipnetters Association
16. Wayne Wilson, Kenaitze Indian Tribe
17. Vince Goddard, Inlet Fish Processor, Kenai
18. Paul A. Shadura, South K-Beach Independent Setnet Association (SOKI)
19. Dwight Kramer, Kenai Peninsula Fisherman's Coalition (KPFC)

Federal Subsistence Representative:

1. None.

The Committee met February 23, 2011 at 8:30 a.m. and adjourned at 4:00 p.m.

PROPOSALS BEFORE THE COMMITTEE WERE: (30 total) 172, 173, 174, 175, 176, 177, 178, 179, 180, 328, 155, 181, 182, 183, 184, 185, 186, 187, 188, 189, 190, 191, 192, 193, 194, 195, 196, 197, 198, and 199.

PROPOSAL 172 – 5 AAC 77.540. Upper Cook Inlet Personal Use Salmon Fishery Management Plan. Require users to complete a class and obtain a dipnet education card prior to receiving a dipnet permit.

Narrative of Support and Opposition

Department:

- Definition of personal use is in Sport Fish regulation summary booklet and on department website. Department describes what immediate family means on website and at Great Alaskan Sportsman Show. Division of Sport Fish uses means available to inform PU fishermen of regulations.
- Department uses the regulatory definition of personal use in regulation summary booklet.
- There are currently no educational requirements for sport fish license, commercial fish limited entry permit, or a subsistence permit.

Department of Law:

- Board does not have authority. (RC1)

Support:

- Education will improve compliance with the regulation.
- Lack of clarity in the regulation.
- Enforcement issues due to conflicting definitions between statute and regulation. Educate users on where fish can go and who can eat PU-caught fish, etc.
- Support concept of education, but no way of stating what education would entail.
- A lot of fish caught in the PU fishery are shipped out of state.

Opposition:

- Proposal is a way to reduce PU participation.
- Would not address the inconsistency between statute and regulation.
- No support for a proposal that would reduce PU participation.
- No mechanism in place to implement the educational program.
- Already educational opportunities online with South Central Dipnetters Association.
- As long as PU fish are not sold, what difference does it make if people ship out fish?
- Too intrusive.

General:

- There are two definitions of PU: one in statute, one in regulation. Board definition “personal use means taking, fishing for, or possession of finfish, shellfish, or other fishery resources, by Alaska

residents for personal use and not for sale or barter, with gill or dip net, seine, fish wheel, longline, or other means defined by the Board of Fisheries.” Legislature definition does not mention who can consume personal use caught fish. Department of Law and Fish and Game uses board 5 AAC 77.

- Lack of definition of immediate family.
- Put definition of PU fishery on permit.
- Label shipping boxes with which method and fishery the fish were taken.
- Need regulation that keeps PU fish in-state and within household of permittee.
- Existing regulation is pretty restrictive; “immediate family”.
- Federal Lacey Act already makes illegal the shipping of unreported fish.

POSITIONS AND RECOMMENDATIONS

Public Panel Recommendation: No consensus.

Board Committee Recommendation: Consensus to oppose.

Substitute Language: None.

PROPOSAL 173 – 5 AAC 77.540. Upper Cook Inlet Personal Use Salmon Fishery Management Plan. Repeal sport fish license requirement to participate in Cook Inlet personal use fisheries.

Narrative of Support and Opposition

Department:

- None.

Department of Law:

- None.

Support:

- Fee for PU permit could cover costs associated with toilet facilities, trash cans, etc.

Opposition:

- None.

General:

- Need predictable funding source to provide amenities/sanitation.
- Bill introduced to legislature (SB 20) that would require fee for PU permit.
- Recommend a sockeye stamp similar to the one in place for king salmon to provide funding.

POSITIONS AND RECOMMENDATIONS

Public Panel Recommendation: No consensus.

Board Committee Recommendation: Consensus to oppose.

Substitute Language: None.

PROPOSAL 174 – 5 AAC 77.540. Upper Cook Inlet Personal Use Salmon Fishery Management Plan. Allow nonresidents to participate in the Upper Cook Inlet personal use fishery.

Narrative of Support and Opposition

Department:

- Department spent ~50 hours educating and enforcing fishery in 2009 and in 2010.
- AWT spent ~ 382.5 hours enforcing the fishery in 2010.
- DNR patrols fishery daily.
- A lot of enforcement spent on a fishery for which the department has no conservation concern.
- Working with vendors to ensure compliance with permit issuance.
- Electronic harvest reporting is desired.

Department of Law:

- Board does not have authority. (RC 1)

Support:

- None.

Opposition:

- Most participants are legal.
- State statute restricts PU fishery to AK residents.
- Board has no authority. PU definition already in statute.
- Already options for nonresident commercial fishermen to take harvested fish as homepack.

General:

- Small fragment of population take advantage of regulations.
- Difficult to determine how many PU-harvested fish are shipped out.
- Many proposed restrictions on the PU fishery are based on unfounded information.
- Restricting the fishery will likely impact the local community.
- Majority of nonresident participation violations are by individuals that have not met residency requirements.
- Enforcement report would be looked at.
- Would like to see double the enforcement on PU fishery.

POSITIONS AND RECOMMENDATIONS

Public Panel Recommendation: No consensus.

Board Committee Recommendation: No action.

Substitute Language: None.

PROPOSAL 175 – 5 AAC 77.540. Upper Cook Inlet Personal Use Salmon Fishery Management Plan. Establish a July 17 opening date for the Kenai River personal use fishery on runs under two million.

Narrative of Support and Opposition

Department:

- The late-run management plan provides the flexibility to adjust regulations via EO.
- The department has the tools in place to assess the run, although sometimes they are not very timely.

Department of Law:

- None.

Support:

- The proposal would let Alaska residents know before planning their trip that the fishery is restricted, rather than restricting through EO.
- PU fishery is downstream of sonar so managing for escapement is more difficult with a fixed opening in the PU fishery.
- No sharing of conservation burden among users – PU fishery does not have equal share of burden.
- PU fishery takes fish before department knows a given run is low. Therefore, sport users are restricted and no conservation burden on PU fishery.
- PU fishery should be managed on an escapement basis. Prosecute the fishery when runs are large; restrict fishery when runs are low.
- If one user group cannot fish, then all users should not be allowed to fish.
- Spreads the conservation burden more evenly across the three user groups.
- A set time is ideal because it is predictable and allows the city to hire and retain personnel rather than hire, layoff, then rehire if the fishery is closed and then later reopened.
- Sport fishery starts with low bag limit and then liberalizes when runs are large. PU fishery has set opening and closing dates regardless of run size.

Opposition:

- Proposal would concentrate users and result in greater impact to adjacent land.
- Proposal would result in more sport anglers and thus, increased habitat damage.
- Conservation measures are built into plan already with season dates and limited hours.
- If PU fishery is restricted in number of trips (i.e., additional season restriction) then local economies are impacted.

- PU fishery harvests a small portion of the run.
- Greater conservation burden would be placed on PU fishery compared to sport and commercial users.
- Restricting the PU fishery on the front end would have a negligible effect on the overall escapement.
- City of Kenai is getting nervous about growth in the fishery and costs associated with dealing with the fishery: contracting for garbage, additional police officers, etc.
- PU fishery is already structured to adjust regulations according to run size.

General:

- There are not enough fish to go around when the run is under 2 million.
- A restriction in PU fishery would effectively allocate more fish to the commercial fishery. Inriver goal is determined at sonar so accounts for downriver harvest.
- If the same opening date is kept, the bag limit should be reduced, or a two-tiered system should be developed.
- Recommendation for the board to read the 2010 City of Kenai report to understand that a 3-week planning period was important for infrastructure.
- Coho and Kasilof communities thought when the PU fishery was adopted by the board that the fishery would be abundance driven. Fishery has become an entitlement fishery and a festival. Recommended the dipnet fishery be closed and to leave the gillnet fishery open.

POSITIONS AND RECOMMENDATIONS

Public Panel Recommendation: No consensus.

Board Committee Recommendation: No consensus.

Substitute Language: None.

PROPOSAL 176 – 5 AAC 21.360. Kenai River Late-run Sockeye Salmon Management Plan. Open Kenai River personal use fishery after 350,000 sockeye pass the sonar.

Narrative of Support and Opposition

Department:

- None.

Department of Law:

- None.

Support:

- PU fishery should occur before and after the commercial fishery.

Opposition:

- Oppose any proposal that would restrict the PU fishery.
- Restriction in PU fishery would result in increased commercial harvest, which is a mixed stock fishery. Potential to increase harvest on Northern District stocks would be a conservation concern.
- Oppose an opening based on a fixed number. Strongly encourage openings based on and adjusted according to abundance.
- Oppose concentrating fishery with additional inseason restrictions to fishery. Harvest needs to be spread throughout the duration of the run to prevent overharvest of one particular stock.
- PU fishery draws in sport anglers and therefore reduces habitat degradation.
- Need to take into account that the late-run Kenai sockeye run is comprised of many smaller stocks. Don't narrow the fishery and focus harvest on a particular segment of run.

General:

- Request that the Kasilof fishery be managed differently than the Kenai.
- Suspend Kasilof PU dipnet fishery, but not the gillnet fishery, until habitat issues have been resolved or properly handled.
- Recommend a fishery that is spread throughout the season in set openings and closures. This would prevent overharvest of smaller stocks, spread out the fishery, and provide more opportunity for local families.
- New and expanding fishery. Where is the end? Where is the ceiling?

POSITIONS AND RECOMMENDATIONS

Public Panel Recommendation: No consensus.

Board Committee Recommendation: Consensus to oppose.

Substitute Language: None.

PROPOSAL 177 – 5 AAC 77.540. Upper Cook Inlet Personal Use Salmon Fishery Management Plan. Close fishing on the south bank of the Kenai River until minimum inriver goals are met.

Narrative of Support and Opposition

Department:

- None.

Department of Law:

- None.

Support:

- Would provide another management tool to restrict PU harvest inseason.
- PU fishery would fish on half of the run.
- Fishery takes place almost exclusively on the banks – sockeye migrate along the shorelines.
- Fishery is distributed evenly on each bank (north and south).

Opposition:

- Many residents of the adjacent subdivisions fish from the south bank.
- North side has large sand bar that makes the north side unfishable during low tides.
- Department already has the ability to manage the sport, PU, and commercial fisheries inseason.
- Impossible to enforce a line drawn down the middle of the river that restricts fishing from a boat on one side.
- Cleaner fishery from boats – avoids habitat degradation from shore fishermen.

General:

- None.

POSITIONS AND RECOMMENDATIONS

Public Panel Recommendation: No consensus.

Board Committee Recommendation: No consensus.

Substitute Language: None.

PROPOSAL 178 – 5 AAC 21.360. Kenai River Late-run Sockeye Salmon Management Plan. Open dipnet fisheries in Cook Inlet only after optimal escapement goals are met.

Narrative of Support and Opposition

Department:

- None.

Department of Law:

- None.

Support:

- See comments on proposals 176 and 177.

Opposition:

- See comments on proposals 176 and 177.

General:

- See comments on proposals 176 and 177.

POSITIONS AND RECOMMENDATIONS

Public Panel Recommendation: See proposals 176 and 177.

Board Committee Recommendation: Consensus to oppose.

Substitute Language: None.

PROPOSAL 179 – 5 AAC 77.540. Upper Cook Inlet Personal Use Salmon Fishery Management Plan. Open Kenai and Kasilof dipnet fisheries only after lower escapement goals will be achieved.

Narrative of Support and Opposition

Department:

- None.

Department of Law:

- None.

Support:

- Bring PU fishery back to its original intent.
- Place necessary conservation burden on PU fishery.
- Commercial fishery was closed for an extended period of time in 2008, but the PU fishery was allowed to proceed without any additional restrictions.

Opposition:

- Local manager has EO authority to liberalize or restrict the fishery if needed.

General:

- See comments on proposals 176 and 177.

POSITIONS AND RECOMMENDATIONS

Public Panel Recommendation: No consensus.

Board Committee Recommendation: Consensus to oppose.

Substitute Language: None.

PROPOSAL 180 – 5 AAC 21.360. Kenai River Late-run Sockeye Salmon Management Plan. Close Kenai River personal use fishery on Tuesdays and Fridays until 450,000 sockeye pass the sonar.

Narrative of Support and Opposition

Department:

- None.

Department of Law:

- None.

Support:

- In 2008, the burden was not shared among all users - PU fishery was not restricted.
- Conservation burden should be shared by all users.

Opposition:

- If the PU fishery is further restricted then the commercial and sport fisheries should be further restricted.
- Season dates provide predictability in fishery.

General:

- When PU fishery went into effect in 1996, the PU allocation came from the commercial fishery.
- PU fishery ends on July 31 due to early run coho entering the system in early August.

POSITIONS AND RECOMMENDATIONS

Public Panel Recommendation: No consensus.

Board Committee Recommendation: Consensus to oppose.

Substitute Language: None.

PROPOSAL 328 – 5 AAC 21.360. Kenai River Late-Run Sockeye Salmon Management Plan.
Revise closure time for the Kenai River personal use fishery.

Narrative of Support and Opposition

Department:

- None.

Department of Law:

- None.

Support:

- There are not, nor have there been, many restrictions on the PU fishery.
- Need a precautionary approach to managing the PU fishery.
- PU fishery has no priority; subsistence does.
- The PU fishery needs to share the conservation burden.

Opposition:

- See comments on proposal 180.

General:

- None.

POSITIONS AND RECOMMENDATIONS

Public Panel Recommendation: No consensus.

Board Committee Recommendation: No consensus.

Substitute Language: None

PROPOSAL 155 – 5 AAC 21.360(b)(4). Kenai River Late-Run Sockeye Salmon Management Plan. Add language that all fisheries will be closed if the OEG will not be achieved.

Narrative of Support and Opposition

Department:

- None.

Department of Law:

- None.

Support:

- See comments on proposal 328.

Opposition:

- See comments on proposal 328.

General:

- See comments on proposal 328.

POSITIONS AND RECOMMENDATIONS

Public Panel Recommendation: See proposal 328.

Board Committee Recommendation: No consensus.

Substitute Language: None.

PROPOSAL 181 – 5 AAC 77.540. Upper Cook Inlet Personal Use Salmon Fishery Management Plan. Establish a harvest cap of 150,000 for the Kenai River personal use fishery.

Narrative of Support and Opposition

Department:

- Presence of harvest cap may necessitate liberalization of other fisheries to meet OEG/SEG and prevent overescapement.

Department of Law:

- None.

Support:

- PU fishery is out of context with original intent.
- 24-hour reporting would be great.
- A harvest cap would be the best way to restrict the fishery.
- Required reporting would help protect against theft of the resource.
- Without upper limit, expansion of the PU fishery will come from commercial fishery allocation.
- Proposed commercial midweek closures would shift more allocation to PU fishery.
- Commercial fishermen have lost time (i.e., allocation) due to the PU fishery.
- Intent of the PU fishery was to capitalize on surpluses that were not previously allocated.

Opposition:

- No biological concern so no need to restrict PU fishery.
- Fishery limits each family; growth comes from new participants. Resources belong to the people of AK and as such, the PU fishery should not have a cap.
- Mandatory reporting would be hard to enforce.
- Harvest cap would use up a lot of the department's valuable resources.
- PU fish are used directly by AK families and this should be prioritized.

General:

- None.

POSITIONS AND RECOMMENDATIONS

Public Panel Recommendation: No consensus.

Board Committee Recommendation: Consensus to oppose.

Substitute Language: None.

PROPOSAL 182 – 5 AAC 21.360 Kenai River Late-Run Sockeye Salmon Management Plan. Set allocation of 100,000 - 150,000 sockeye in Kenai River personal use fishery.

Narrative of Support and Opposition

Department:

- None.

Department of Law:

- None.

Support:

- See comments on proposal 181.

Opposition:

- See comments on proposal 181.

General:

- See comments on proposal 181.

POSITIONS AND RECOMMENDATIONS

Public Panel Recommendation: See proposal 181.

Board Committee Recommendation: Consensus to oppose.

Substitute Language: None.

PROPOSAL 183 – 5 AAC 77.540. Upper Cook Inlet Personal Use Salmon Fishery Management Plan. Establish a guideline harvest for Cook Inlet personal use fisheries based upon run size.

Narrative of Support and Opposition

Department:

- None.

Department of Law:

- None.

Support:

- Establish a reasonable harvest for PU fishery, like those in place for sport and commercial users.
- Methods and means presented thus far seem appropriate to adjust the PU fishery.
- The growth in the PU fishery needs to be slowed down.
- Commercial users want to see a ceiling put in place on the PU fishery.

Opposition:

- This proposal is a reallocation from one group to another.
- If a PU cap is put in place, those users will shift to sport methods which will increase habitat degradation.

General:

- Utilization of aquaculture facilities are at 50%. Why are Kasilof and Kenai rivers the only PU fisheries? Need to take pressure off of these systems – establish other PU fisheries.
- Recommend area expansion of Kenai PU fishery.
- In the past there has been discussion on allowing property owners upstream of the current PU area to dipnet along their property (but recognizes enforcement concern).
- Numbers in proposal are not set in stone and are open to adjustment.

POSITIONS AND RECOMMENDATIONS

Public Panel Recommendation: No consensus.

Board Committee Recommendation: Consensus to oppose.

Substitute Language: None.

PROPOSAL 184 – 5 AAC 21.360. Kenai River Late-Run Sockeye Salmon Management Plan; and 5 AAC 77.540. Upper Cook Inlet Personal Use Salmon Fishery Management Plan. Establish GHLL for sport and personal use harvest in the Kenai and Kasilof rivers.

Narrative of Support and Opposition

Department:

- See comments on proposal 183.

Department of Law:

- See comments on proposal 183.

Support:

- See comments on proposal 183.

Opposition:

- See comments on proposal 183.

General:

- See comments on proposal 183.

POSITIONS AND RECOMMENDATIONS

Public Panel Recommendation: See proposal 183.

Board Committee Recommendation: Consensus to oppose.

Substitute Language: None.

PROPOSAL 185 – 5 AAC 77.540. Upper Cook Inlet Personal Use Salmon Fishery Management Plan. Set allocation based on harvest and use in Kasilof River personal use fishery.

Narrative of Support and Opposition

Department:

- See comments on proposal 183.

Department of Law:

- See comments on proposal 183.

Support:

- See comments on proposal 183.

Opposition:

- See comments on proposal 183.

General:

- See comments on proposal 183.

POSITIONS AND RECOMMENDATIONS

Public Panel Recommendation: See proposal 183.

Board Committee Recommendation: Consensus to oppose.

Substitute Language: None.

PROPOSAL 186 – 5 AAC 77.540. Upper Cook Inlet Personal Use Salmon Fishery Management Plan. Establish a bag limit of 15 per family in the Kenai River personal use fishery and no fishing until escapement goal will be achieved.

Narrative of Support and Opposition

Department:

- The current limit of 25/head of household and 10/additional household member was a carryover from the previous subsistence fishery.

Department of Law:

- None.

Support:

- If season restrictions are not adopted, then a bag limit reduction needs to be put in place.

Opposition:

- None.

General:

- The Sustainable Salmon Policy states that harvest should be spread throughout the run.
- Makes sense to put windows on the season to spread out harvest.
- Coho and Kasilof communities are maxed out and time windows throughout the season would help thin people out which would be a tremendous help to Kasilof.
- Subsistence limits were determined by customary and traditional uses and do not necessarily apply to current PU needs.

POSITIONS AND RECOMMENDATIONS

Public Panel Recommendation: No consensus.

Board Committee Recommendation: No consensus.

Substitute Language: None.

PROPOSAL 187 – 5 AAC 77.525. Personal use salmon fishery. Reduce household limit to 10 fish in Cook Inlet personal use salmon fishery.

Narrative of Support and Opposition

Department:

- See comments on proposal 186.

Department of Law:

- See comments on proposal 186

Support:

- See comments on proposal 186.

Opposition:

- See comments on proposal 186.

General:

- See comments on proposal 186.

POSITIONS AND RECOMMENDATIONS

Public Panel Recommendation: See proposal 186.

Board Committee Recommendation: No consensus.

Substitute Language: None.

PROPOSAL 188 – 5 AAC 77.540. Upper Cook Inlet Personal Use Salmon Fishery Management Plan. Reduce bag limit or delay opening of the Kenai River dipnet fishery.

Narrative of Support and Opposition

Department:

- See comments on proposal 186.

Department of Law:

- See comments on proposal 186.

Support:

- See comments on proposal 186.

Opposition:

- See comments on proposal 186.

General:

- See comments on proposal 186.

POSITIONS AND RECOMMENDATIONS

Public Panel Recommendation: See proposal 186.

Board Committee Recommendation: No consensus.

Substitute Language: None.

PROPOSAL 189 – 5 AAC 77.540. Upper Cook Inlet Personal Use Salmon Fishery Management Plan. Prohibit retention of king salmon in Cook Inlet dipnet fisheries.

Narrative of Support and Opposition

Department:

- None.

Department of Law:

- None.

Support:

- Intent is to provide a first step to put more kings into the river.
- People have begun to target kings in the PU fishery.
- Some participants would support this proposal if a smaller mesh size were adopted.

Opposition:

- It is not easy to catch a king while dipnetting.
- Difficult to release a king from a dipnet. Dipnets are built for retention – very difficult to remove a king alive without removing from the water.
- Kings are rarely caught by dipnetters but they enjoy the fish as do sport fishermen.

General:

- Was the intent of the fishery ever to allow harvest of kings?
- Kasilof zero king limit established because kings are not enumerated on the Kasilof.
- Release fishing is a concern. Smaller web would help improve discard survival.

POSITIONS AND RECOMMENDATIONS

Public Panel Recommendation: No consensus.

Board Committee Recommendation: Consensus to oppose.

Substitute Language: None.

PROPOSAL 190 – 5 AAC 77.540. Upper Cook Inlet Personal Use Salmon Fishery Management Plan. Allow one king per household for all Cook Inlet personal use dipnet fisheries.

Narrative of Support and Opposition

Department:

- None.

Department of Law:

- None.

Support:

- No support.

Opposition:

- All opposed.

General:

- None.

POSITIONS AND RECOMMENDATIONS

Public Panel Recommendation: Consensus to oppose.

Board Committee Recommendation: Consensus to oppose.

Substitute Language: None.

PROPOSAL 191 – 5 AAC 77.540. Upper Cook Inlet Personal Use Salmon Fishery Management Plan. Reduce allowable mesh size to two inches in Cook Inlet dipnet fisheries or prohibit release of fish.

Narrative of Support and Opposition

Department:

- Release of dipnetted fish is uncommon based on observations of the fishery.

Department of Law:

- None.

Support:

- Attempts to improve the survival of discarded fish.
- Concern that current mesh size may be more damaging to fish that escape compared to smaller mesh size.
- Regulations in sport fishing prohibit molestation of salmon. No regulations prevent dip-and-release fishing. It is difficult to figure out the fate of released fish, which is necessary to successfully prosecute in the court of law. If it is clear the fish are dead and people toss them out, that is considered wanton waste.

Opposition:

- May be difficult to effectively dipnet from shore with smaller net mesh and strong currents.
- Most fish released are small kings, rainbows, Dolly Varden, flounders, pinks or small sockeye. These species are not caught often while dipnetting.
- Dropouts with 4.5 inch mesh happens and smaller mesh would further reduce capture efficiency.
- Do not want efficiency reduced.

General:

- None.

POSITIONS AND RECOMMENDATIONS

Public Panel Recommendation: No consensus.

Board Committee Recommendation: Consensus to oppose.

Substitute Language: None.

PROPOSAL 192 – 5 AAC 77.525. Personal use salmon fishery. Prohibit possession of sport and personal use caught salmon on the same day.

Narrative of Support and Opposition

Department:

- None.

Department of Law:

- None.

Support:

- Proposer would withdraw if the department said there was no issue with sport and PU overlap.
- No support.

Opposition:

- All opposed.

General:

- There have been no reports or complaints of people mixing sport and PU-caught fish.

POSITIONS AND RECOMMENDATIONS

Public Panel Recommendation: Consensus to oppose.

Board Committee Recommendation: Consensus to oppose.

Substitute Language: None.

PROPOSAL 193 – 5 AAC 77.540. Upper Cook Inlet Personal Use Salmon Fishery Management Plan. Prohibit dipnetting from boats in Kenai River personal use fishery.

Narrative of Support and Opposition

Department:

- None.

Department of Law:

- None.

Support:

- Fishery started as a shore fishery. This is an initial attempt to return fishery to the way it started.
- Safety concern.
- Beluga whales might not be entering the Kenai because of boat fishing.
- May be time to limit the size of outboards in the PU fishery.

Opposition:

- Would put more people on the shore and increase damage to habitat.

General:

- There is a safety issue that needs to be addressed.
- Boating safety is an issue. Other entities are addressing this concern.

POSITIONS AND RECOMMENDATIONS

Public Panel Recommendation: No consensus.

Board Committee Recommendation: Consensus to oppose.

Substitute Language: None.

PROPOSAL 194 – 5 AAC 77.540. Upper Cook Inlet Personal Use Salmon Fishery Management Plan. Prohibit dipnetting from boats in Kenai River personal use fishery.

Narrative of Support and Opposition

Department:

- None.

Department of Law:

- None.

Support:

- None.

Opposition:

- None.

General:

- Already in regulation.

POSITIONS AND RECOMMENDATIONS

Public Panel Recommendation: Consensus to take no action.

Board Committee Recommendation: No action.

Substitute Language: None.

PROPOSAL 195 – 5 AAC 77.540. Upper Cook Inlet Personal Use Salmon Fishery Management Plan. Open the Fish Creek dipnet fishery by regulation instead of emergency order.

Narrative of Support and Opposition

Department:

- Having the fishery open at a projected escapement of 50,000 would result in the fishery opening a few days earlier.
- Will not open fishery if there is any indication that the escapement goal will not be achieved.
- The department could manage for sustained yield with a target escapement trigger of 50,000.
- The Kenai, Kasilof, and Fish Creek PU fisheries are covered under the Upper Cook Inlet Personal Use Salmon Permit.
- Weir not installed until July 4.
- Current opening date of July 10 corresponds to the beginning of the run.
- Projections of escapement do not start until approximately July 15 which marks the 8th percentile of the run.

Department of Law:

- None.

Support:

- Proposer suggested an amendment to include a trigger of 50,000.
- Help alleviate pressure on the Kenai and Kasilof PU fisheries.

Opposition:

- More reasonable to have a trigger escapement of 50,000.
- No support for a fixed opening date.

General:

- Put hatchery-reared smolt in Big Lake to take pressure off Peninsula PU fisheries.
- Precautionary approach should be used since hatchery fish are no longer stocked.
- Proposer suggested an amendment to include a trigger of 50,000.

POSITIONS AND RECOMMENDATIONS

Public Panel Recommendation: Consensus to support a trigger of 50,000.

Board Committee Recommendation: No consensus.

Substitute Language:

5 AAC 77.540(d)(1) is amended to read:

(1) the commissioner **may** [WILL] open, by emergency order, the personal use dip net fishery in Fish Creek from July 10 through July 31, if the department projects that the escapement of sockeye salmon into Fish Creek will be above the upper end of the escapement goal of **50,000** [70,000] fish;

PROPOSAL 196 – 5 AAC 77.540. Upper Cook Inlet Personal Use Salmon Fishery Management Plan. Increase season dates and expand area for Beluga River personal use fishery.

Narrative of Support and Opposition

Department:

- There is no escapement goal for king salmon in the Beluga River.
- Sport fishery harvest is ~120 kings and ~400 angler days of effort in Beluga system.
- Weekly reporting requirements for participants in the PU fishery.

Department of Law:

- None.

Support:

- Support area extension, but not season extension.

Opposition:

- An earlier start date could compromise the king run in this system since it is in an area with recent low king returns.
- There was concern over Theodore kings entering Beluga and becoming susceptible to the Beluga PU fishery.

General:

- None.

POSITIONS AND RECOMMENDATIONS

Public Panel Recommendation: No consensus.

Board Committee Recommendation: No consensus.

Additional Language:

5 AAC 77.540(g)(3) is amended to read:

(3) the annual limit is as specified in 5 AAC 77.77.525; **except that only one king salmon may be retained per household;** [KING SALMON MAY NOT BE RETAINED; ANY KING SALMON CAUGHT MUST BE RELEASED IMMEDIATELY AND RETURNED TO THE WATER UNHARMED;]

PROPOSAL 197 – 5 AAC 77.540. Upper Cook Inlet Personal Use Salmon Fishery Management Plan. Establish a personal use fishery on Eklutna River.

Narrative of Support and Opposition

Department:

- No hatchery on the Eklutna River.
- Low abundance of fish for any species during any year.
- Concerns about public access because most property in area is privately owned.

Department of Law:

- None.

Support:

- Could be an opportunity to alleviate pressure on the Kenai.

Opposition:

- Eklutna drainage is small. Not much information on run sizes. Thousands of dipnetters could participate in the fishery leading to unsustainable harvest.

General:

- All proposals that create a new PU fishery in another part of the state should be considered so that folks closest to those systems could capture fish near their homes.

POSITIONS AND RECOMMENDATIONS

Public Panel Recommendation: Consensus to oppose.

Board Committee Recommendation: Consensus to oppose.

Substitute Language: None.

PROPOSAL 198 – 5 AAC 77.540. Upper Cook Inlet Personal Use Salmon Fishery Management Plan. Establish a personal use fishery on Deshka River.

Narrative of Support and Opposition

Department:

- Pinks immediately outmigrate upon emergence from the gravel.
- May not be sustainable on some even years given recent downward trend in even-year pink returns (since 2000).

Department of Law:

- None.

Support:

- A lot of lost opportunity during large escapements. Someone needs to harvest these fish.
- Pink salmon are good eating and high in omega 3s.
- Move users away from Kasilof fishery.

Opposition:

- Concern for incidental mortality of coho, rainbows, and Dolly Varden.
- No road accessibility limits participation.
- Pinks are not desirable table-fare after extended freshwater migration.

General:

- PU fisheries on pinks and chums should be considered.

POSITIONS AND RECOMMENDATIONS

Public Panel Recommendation: No consensus.

Board Committee Recommendation: Consensus to oppose.

Substitute Language: None.

PROPOSAL 199 – 5 AAC 77.540. Upper Cook Inlet Personal Use Salmon Fishery Management Plan. Establish a personal use fishery on Talkeetna River.

Narrative of Support and Opposition

Department:

- Run size of the Susitna River chum return in 2010 was ~115,000.

Department of Law:

- None.

Support:

- Proposal attempts to get people to think outside of the box.

Opposition:

- Sustainability issues.
- Concern over declining trends in chum returns.
- Safety concerns over thousands of PU participants on a dangerous river.
- Chum are colored-up once they reach the Talkeetna – food quality issues.

General:

- None.

POSITIONS AND RECOMMENDATIONS

Public Panel Recommendation: No consensus.

Board Committee Recommendation: Consensus to oppose.

Substitute Language: None.